

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: 12/3/09

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DAVID ALEXANDER & RAFE TOTENGCO, :

Plaintiffs, :

-against- :

STEINER WILLIAMSBURG, LLC, :

Defendant. :

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ANASTASIA GRIFFITH, ALAN WEISSMAN :
& MATTHEW D. WOLF, :

Plaintiffs, :

-against- :

STEINER WILLIAMSBURG, LLC, :

Defendant. :

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09 Civ. 6735 (BSJ) (AJP)

09 Civ. 9747 (BSJ) (AJP)

**AMENDED RULE 16 IPTC
SCHEDULING ORDER**

ANDREW J. PECK, United States Magistrate Judge:

Pursuant to Rule 16, Fed. R. Civ. P., IT IS HEREBY ORDERED THAT:

1. These two cases are consolidated, at the parties' request, for purposes of pretrial proceedings.

2. All fact and expert discovery must be completed by March 8, 2010. Expert reports must be served by January 13, 2010 plaintiffs, February 16, 2010 defendants. Mandatory initial disclosure pursuant to Rule 26(a)(1), Fed. R. Civ. P., is due December 15, 2009. The parties shall discuss any issues with respect to electronic discovery before the next court conference.

3. Each party will notify this Court (and the District Judge) by March 10, 2010 as to whether it intends to move for summary judgment. Summary judgment motions must be filed by March 29, 2010, and must comply with the Federal Rules of Civil Procedure, the Local Rules of this Court, and the chamber rules of the District Judge to whom this case is assigned.

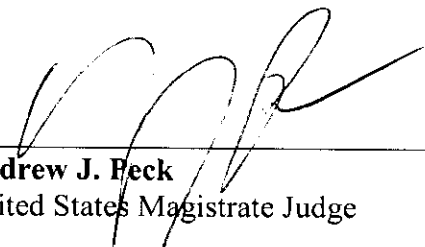
4. The parties are to submit a joint proposed pretrial order, in conformance with the Federal Rules of Civil Procedure, the Local Rules of this Court, and the chamber rules of the District Judge to whom this case is assigned, by March 29, 2010 if neither party is moving for summary judgment, or 30 days after decision on the summary judgment motion. The case will be considered trial ready on 24-hours notice after the pretrial order has been submitted.

5. A status conference will be held before the undersigned on January 5, 2010 at 2:30 p.m. in Courtroom 20D (500 Pearl Street).

6. The parties are directed to follow the "Individual Practices of Magistrate Judge Andrew J. Peck," a copy of which was previously provided.

SO ORDERED.

Dated: New York, New York
December 3, 2009



Andrew J. Peck
United States Magistrate Judge

Copies **by fax & ECF** to: Philip Ransom Schatz, Esq.
Evan R. Schieber, Esq.
Judge Barbara S. Jones